



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: Behan, D. & Chalmers, D.

EXAMINER: Basi, N.

SER. NO.: 09/060,188

ART UNIT: 1646

FILED: April 14, 1998

FOR: A METHOD OF IDENTIFYING MODULATORS
OF CELL SURFACE MEMBRANE RECEPTORS
USEFUL IN THE TREATMENT OF DISEASE

San Diego, CA
October 14, 1999

SECOND PRELIMINARY AMENDMENT

Sir:

A Preliminary Amendment was filed in this case on June 29, 1998. This is the Second Preliminary Amendment and is being filed to make verbiage-oriented changes to certain of the claims. Statutory "new matter" is not believed to be added by the following.

IN THE CLAIMS

Please amend claim 1 as follows:

1 (Once amended). A method for directly identifying a candidate compound as a compound having activity selected from the group consisting of [an] inverse agonist activity, [a] partial agonist activity and [an] agonist activity, to an orphan receptor, comprising the steps of:

(a) contacting a candidate compound with a constitutively activated orphan receptor; and

(b) determining, by measurement of the compound efficacy at said contacted receptor, whether said compound [is an] has inverse agonist activity, [a] partial agonist activity, or [an] agonist activity [of] to said receptor.

Please amend claim 2 as follows:

2 (Once amended). The method of claim 1 wherein the candidate compound is [determined to be an] directly identified as having inverse agonist activity at [of] said receptor.



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Approved for use through 09/30/2000, OMB 0651-0031
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PTO/SB/21 (6-98)

GAU 1646

TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

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First Named Inventor	Bahan, Dominic P.
Group Art Unit	1646
Examiner Name	Basi, N.
Total Number of Pages in This Submission	
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ENCLOSURES (check all that apply)

<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Assignment Papers (for an Application)	<input type="checkbox"/> After Allowance Communication to Group
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input checked="" type="checkbox"/> Amendment / Response	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition Routing Slip (PTO/SB/69) and Accompanying Petition	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Status Letter
<input checked="" type="checkbox"/> Extension of Time Request	<input checked="" type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input type="checkbox"/> Additional Enclosure(s) (please identify below)
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Small Entity Statement	
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<input type="checkbox"/> Response to Missing Parts/ Incomplete Application		
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		
	Remarks	2nd Preliminary Amendment (1 page)
		Check No. 4779 for \$435.00 (1 page)
		Response to Restriction Requirement (2 pages)
		Photocopy of Preliminary Amendment (4 pages)
		Second Preliminary Amendment (3 pages)

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Richard P. Burgoon, Jr. Reg. No. 34,782
Signature	
Date	October 14, 1999

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on this date: Oct. 14, 1999

Typed or printed name	Kim T. Nguyen
Signature	
Date	10-14-99

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